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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/815,786-Conf. #9933 | |
| | Filing Date | April 2, 2004 | |
| | First Named Inventor | Der-Lin LIOU | |
| | Art Unit | 1771 | |
| | Examiner Name | V. S. Chang | |
| Total Number of Pages in This Submission | 4 | Attorney Docket Number | 2450-0667PUS1 |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|--------------------------------------|----------|--------|
| Firm Name | BIRCH, STEWART, KOLASCH & BIRCH, LLP | | |
| Signature | | | |
| Printed name | Joe McKinney Muncy | | |
| Date | December 14, 2005 | Reg. No. | 32,334 |



Docket No.: 2450-0667PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Der-Lin LIOU

Application No.: 10/815,786

Confirmation No.: 9933

Filed: April 2, 2004

Art Unit: 1771

For: ELASTOMERIC FOAM ARTICLE

Examiner: V. S. Chang

REPLY TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Election of Species Requirement dated November 14, 2005, the following remarks are respectfully submitted in connection with the above-identified application.

REMARKS

The Examiner has required an election in the present application between:

Species Ia, elastomeric foam comprising at least one foam structure layer, as set forth in claim 1;

Species Ib, elastomeric foam comprising at least one foam structure layer and one or more substrate layers, as set forth in claim 1;

Species Ic, elastomeric foam comprising at least one foam structure layer and at least one waterproof elastomeric layer, as set forth in claim 9;